

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AT&T CORP. and ALASCOM, INC. d/b/a
AT&T Alascom, Inc.,

Plaintiffs,

v.

DAVID W. WALKER, DONALD J.
SCHROEDER, and TERRY A. GUNSEL,

Defendants.

TERRENCE J. DONAHUE, Trustee for
Chapter 7 Bankruptcy Estate of PT cable, Inc.

Plaintiff-in-Intervention,

v.

THE CARLYLE GROUP, L.P., a.k.a. The
Carlyle Group; *et al.*

Defendants-in-Intervention.

Case No. C04-5709FDB

ORDER FINDING MOTION TO
STRIKE AT&T STATEMENTS
MOOT

Defendants-in-Intervention move to strike “statements” filed by AT&T in this matter at Docket No. 116 and No. 130 because the Trustee, not AT&T, is the proper party to prosecute the claims-in-intervention. AT&T addressed the claims for constructive fraudulent conveyance and

ORDER - 1

1 aiding and abetting an illegal dividend and the Trustee's decision relative to prosecuting these two
2 claims. The motion has now become moot, as the Court has ruled on the motions to dismiss in
3 which the issue addressed in the statement arose.

4 NOW, THEREFORE, IT IS ORDERED: The Motion of the Defendants-in-Intervention
5 [Dkt. # 139] is found to be MOOT and is STRICKEN from the Court's calendar.

6 DATED this 19th day of October, 2006.

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9 FRAANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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